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EXAMINER

VAUGHN, GREGORY J

ART UNIT PAPER NUMBER

2178

DATE MAILED: 10/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/605,987

Applicant(s)

KOPPEL ET AL.

Examiner

Gregory J. Vaughn

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-56 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 10-23, 25-44 and 48-56 is/are rejected.
- 7) ☒ Claim(s) 8, 9, 24 and 45-47 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 June 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2,3,4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Application History

1. This action is responsive to the application filing, Application filed on 6/29/2000.
2. Applicant submits Information Disclosure Statement on 10/18/2000 (paper #2).
3. Applicant submits first supplemental Information Disclosure Statement on 4/6/2001 (paper #3).
4. Applicant submits second supplemental Information Disclosure Statement on 9/4/2002 (paper #4).
5. Claims 1-56 are pending in the case, claims 1 and 48 are independent claims.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

"The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention."
7. Claims 30 and 55 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
8. **In regard to claim 30**, the claim recites the limitation "*links to said user provided URL*" in lines 5-6 of page 23 of the disclosure. There is insufficient antecedent basis for this limitation in the claim.

9. In regard to claim 55, the claim recites the limitation "*at least one of said WWW pages*" in line 15 of page 25 of the disclosure. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

"A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States."

11. Claims 1-6, 25-29, 31-42, 44, 48-54 and 56 are rejected under 35 U.S.C. 102(b) as being anticipated by Ryan et al., US Patent 6,421,675 (filed 7/15/1998, patented 7/16/2002). "*Ryan et al.*" is hereafter referred to as "*Ryan*".
12. In regard to independent claim 1, the preamble of claim recites "*A method of finding WWW pages, each of which includes at least one list of links to desired Internet resources*". Ryan anticipates the preamble of the claim. Ryan recites "*The present invention relates to a method and apparatus that allows for enhanced database searching, and more particularly; for use as an internet search engine*" (column 1, lines 8-10) and "*The results of this search are then displayed to the user, as shown by steps of displaying a created list of web pages*" (column 4, lines 36-38). The first limitation of the claim recites "*providing a list of URLs*". Ryan anticipates the

limitation. Ryan recites *"the URL address of the web page or pages that they wish to submit"* (column 5, lines 36-37). The second and third limitations of the claim recite *"automatically generating at least one query for an Internet search tool for WWW pages that include links to at least one URL of said list of URLs; executing said at least one generated query to provide search results that include at least one of said searched for WWW pages"*. Ryan anticipates the limitations. Ryan recites *"The search engine receives the search command, and then using it scans for these key words through a database of web addresses and the text stored on the web sites"* (column 1, lines 25-28). The forth limitation of the claim recites *"and generating a response comprising at least one indication of one of said WWW pages, responsive to said search results."* Ryan anticipates the limitation. Ryan recites *"Outputs of the search engine 10 are: lists of web pages 90"* (column 5, lines 54-55).

13. **In regard to dependent claim 2**, the claim recites *"A method according to claim 1, comprising displaying said response to a user."* Ryan anticipates the claim. Ryan recites *"The results of this search are then displayed to the user,"* (column 4, lines 36-37).

14. **In regard to dependent claim 3**, the claim recites *"A method according to claim 1, wherein said at least one URL comprises a plurality of URLs."* Ryan anticipates the claim. Ryan recites *"Outputs of the search engine 10 are: lists of web pages 90"* (column 5, lines 54-55) and *"Web-pages: Locations in the form of Web-pages URL"*

Universal Reference Locator addresses ... Hit-list: The list of web-pages URL addresses" (column 6, lines 8-12).

15. **In regard to dependent claim 4**, the claim recites "*A method according to claim 1, wherein said response is generated using a single search step and no iterations.*" Ryan anticipates the claim. Ryan discloses a single flow search response process without loops or multiple search steps in Figure 2.
16. **In regard to dependent claim 5**, the claim recites "*A method according to claim 1, comprising ranking said search results.*" Ryan anticipates the claim. Ryan recites "*Hit-list: The list of web-pages URL addresses that is the result of the key-word search. This hit-list ranks the relevance of the web-pages*" (column 6, lines 12-14).
17. **In regard to dependent claim 6**, the claim recites "*A method according to claim 5, wherein ranking of a WWW page is responsive to a number of groups of URLs pointed to by said WWW page.*" Ryan anticipates the claim. Ryan recites "*results are in the form of a list, ranked according to criteria specific to the search engine. These criteria may range from the number of occurrences*" (column 1 lines 59-61).
18. **In regard to dependent claim 25**, the claim recites "*A method according to claim 1, wherein said providing comprises a user providing a list of URLs.*" Ryan anticipates the claim. Ryan recites "*web-page developers include: URL 66--this is the URL address of the web page or pages that they wish to submit*" (column 5, lines 35-37).

19. **In regard to dependent claim 26**, the claim recites "*A method according to claim 25, wherein said user provided list of URLs comprises at least a part of a URL bookmark file.*" Ryan anticipates the claim. Ryan recites "*Personal hit-list: This a list of web-pages the individual user has found most useful for each key-word search they have done in the past It is like an automatic book-marking data set for each individual user*" (column 7, lines 37-40).
20. **In regard to dependent claim 27**, the claim contains substantially the same subject matter as claim 25, and is rejected with the same rational.
21. **In regard to dependent claim 28**, the claim recites "*A method according to claim 1, wherein said providing comprises: a user providing one or more topic words; and executing a preliminary search to find a list of URLs related to said one or more topic words.*" Ryan anticipates the claim. Ryan recites "*keyword 52-this is the word or phrase that the user enter to find a list of web pages*" (column 5, lines 14-15).
22. **In regard to dependent claim 29**, the claim recites "*A method according to claim 1, wherein said providing comprises: a user providing a WWW page; and executing a preliminary search to find a list of URLs that point to pages similar to the provided WWW page.*" Ryan anticipates the claim. Ryan recites "*URL 66-this is the URL address of the web page or pages that they wish to submit*" (column 5, lines 36-37) and "*Outputs of the search engine 10 are: lists of web pages 90--depending on the input data a list of web pages can be produced in web page determination step*" (column 5, lines 55-57).

23. In regard to dependent claim 31, the claim recites "*A method according to claim 1, comprising filtering said search results before said generating.*" Ryan anticipates the claim. Ryan recites "*the profile type that they would like to act as a filter or agent*" (column 26, line 67 to column 27, line 1).
24. In regard to dependent claim 32, the claim recites "*A method according to claim 1, wherein said search tool comprises a search engine.*" Ryan anticipates the claim. Ryan recites "*The present invention relates to a method and apparatus that allows for enhanced database searching, and more particularly; for use as an internet search engine*" (column 1, lines 8-10).
25. In regard to dependent claim 33, the claim recites "*A method acquiring to claim 32, wherein said executing said at least one query comprises executing using a pipe feature of said search engine to limit a second search step to a list of sites found in a first search step using said search engine.*" Ryan anticipates the claim. Ryan discloses a first step in the search process. Ryan recites "*Input data set: Keyword. Output data set: Personal hit-list*" (column 7, lines 44-46). Ryan discloses a second step in the search process limited by the first step. Ryan discloses "*Input data set: Personal hit-list. Output data set: Collective Search hit-lists*" (column 7, lines 55-57).
26. In regard to dependent claim 34, the claim recites "*A method acquiring to claim 1, wherein said response comprises a list of said WWW pages.*" Ryan anticipates the claim. Ryan recites "*Outputs of the search engine 10 are: lists of web pages*" (column 5, lines 55-56).

27. **In regard to dependent claim 35**, the claim recites "*A method according to claim 34, wherein said response includes link statistics for said WWW pages.*" Ryan anticipates the claim. Ryan recites "*The contents of keyword data table 164 of FIG. 4 are shown in more detail in Table 1 shown below, and is a list of keywords including phrases, and the number of times they have been requested*" (column 11, lines 19-22).
28. **In regard to dependent claim 36**, the claim recites "*A method according to claim 35 wherein said link statistics include a number of links in each WWW page.*" Ryan anticipates the claim. Ryan recites "*The contents of keyword URL link table 172 of FIG. 4 are shown in more detail in Table 3 shown below. This table is of particular significance with respect to the present invention because it contain information about the links between information supplies (URL addresses or web pages) and information requests (Keywords)*" (column 12, lines 17-22).
29. **In regard to dependent claim 37**, the claim recites "*A method according to claim 35, wherein said link statistics include an indicator of a uniqueness of links in each WWW page.*" Ryan anticipates the claim. Ryan recites "*The contents of web-page table 188 of FIG. 4 are shown in more detail in Table 2 shown below, is and contains a list of Internet web-pages. Each web-page has a URL address, an associated 2-3 line description, a unique web page number for each URL*" (column 11, lines 58-62).

30. **In regard to dependent claim 38**, the claim recites "*A method according to claim 35, wherein said link statistics include an indicator of an amount of information associated with links in each WWW page.*" Ryan anticipates the claim. Ryan recites "*information about the inks between information supplies (URL addresses or web pages) and information requests (Keywords). This data is recorded in further data sets which describes the relationship between the Key-words and occurrences*" (column 12, lines 20-25).
31. **In regard to dependent claim 39**, the claim contains substantially the same subject matter as claim 1, and is rejected with the same rational.
32. **In regard to dependent claims 40, 41 and 42**, the claims are directed toward a web query response of a list of links. Claim 40 is directed toward "*a list of links listed in at least a given number of said WWW pages.*" Claim 41 is directed toward "*said given number is greater than 1.*" Claim 42 is directed toward "*said given number is greater than 2.*" Ryan discloses more than 2 web page responses. Ryan recites "*The results of this search are then displayed to the user, as shown by steps of displaying a created list of web pages, displaying passively suggested web pages, and displaying actively suggested web pages*" (column 4, lines 36-40).
33. **In regard to dependent claim 44**, the claim recites "*A method according to claim 39, wherein said list comprises information associated with a link in its corresponding WWW page.*" Ryan anticipates the claim. Ryan recites "*Outputs of*

the search engine 10 are: lists of web pages ... and content 94-the search engine sends out selected content" (column 5, lines 55-63).

34. **In regard to independent claim 48**, the claim contains substantially the same subject matter as claim 1, and is rejected with the same rational.
35. **In regard to dependent claim 49**, the claim contains substantially the same subject matter as claim 2, and is rejected with the same rational.
36. **In regard to dependent claim 50**, the claim contains substantially the same subject matter as claim 3, and is rejected with the same rational.
37. **In regard to dependent claim 51**, the claim contains substantially the same subject matter as claim 27, and is rejected with the same rational.
38. **In regard to dependent claim 52**, the claim contains substantially the same subject matter as claim 1, and is rejected with the same rational.
39. **In regard to dependent claim 53**, the claim recites "*A method according to claim 50, wherein generating a list of related URLs, comprises generating a list of competition URLs.*" Ryan anticipates the claim. Ryan recites "*Content Provider's list: This is a list (associated with each key-word) of content providers which must typically [that] pay to illustrate content with the key-word*" (column 7, lines 8-10).
40. **In regard to dependent claim 54**, the claim recites "*A method according to claim 50, wherein generating a list of related URLs, comprises generating a list of*

similar URLs." Ryan anticipates the claim. Ryan recites "*Crawler key-word list: This is a list of key-word suggestions mat the user may find useful. This is found by matching the key-word entered by the user to the database of key-words and phrases*" (column 7, lines 63-66).

41. **In regard to dependent claim 56**, the claim contains substantially the same subject matter as claim 32, and is rejected with the same rational.

Claim Rejections - 35 USC § 103

42. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

"(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made."

43. Claims 7, 10-23, and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ryan in view of Satyavolu et al., US Patent 6,517,587 (filed 7/27/1999, patented 2/11/2003). "*Satyavolu et al.*" is hereafter referred to as "*Satyavolu*".

44. **In regard to dependent claim 7**, the claim recites "*A method according to claim 1, wherein said generating at least one search query, comprises: dividing said list of URLs into a plurality of groups and generating at least a single query for each group,*

wherein said at least a single query does not differentiate which URL in said group is pointed to by the results of the search, wherein said executing comprises executing said generated at least one query for a plurality of said groups, generating a plurality of result lists." Ryan discloses the generation and execution of a search query (see above). Ryan fails to disclose the division of the input URL list and separate queries for the new divisions. Satyavolu teaches the division of the URL list input and generation of separate queries. Satyavolu recites "*a lower level of distributors 135 will distribute assignments to gatherers 137. It is the gatherer's job to accomplish the job assignments by navigating the Internet (111) by virtue of Internet connection 117a and the URL lists associated with the job assignments, and to retrieve information requested in each given job assignment held in their queues*" (column 7, lines 46-52).

Therefore it would have been obvious, to one of ordinary skill in the art, at the time the invention was made, to include the list division capabilities of Satyavolu in the search engine of Ryan because these capabilities joined together would "*fulfill a very large number of automatically-scheduled and user-initiated data requests in a wholly automated and transparent fashion*" (Satyavolu, column 2, lines 28-30).

45. **In regard to dependent claim 10**, the claim recites "*A method according to claim 7, comprising: collating said result lists into a single list of search results.*" Ryan anticipates the claim. Ryan recites "*Collective Search hit-lists. This can be a*

combination of any of the above hit-lists. There are many different ways a these hit-lists can be combined" (column 7, lines 49-51).

46. **In regard to dependent claim 11**, the claim contains substantially the same subject matter as claim 5, and is rejected with the same rational.
47. **In regard to dependent claim 12**, the claim contains substantially the same subject matter as claim 5 and 10 combined, and is rejected with the same rational.
48. **In regard to dependent claim 13**, the claim contains substantially the same subject matter as claim 5, and is rejected with the same rational.
49. **In regard to dependent claim 14**, the claim recites "*A method according to claim 13, comprising filtering said at least one result list responsive to said ranking.*" Ryan anticipates the claim. Ryan discloses ranking (see above). Ryan anticipates filtering. Ryan recites "*the profile type that they would like to act as a filter or agent and the search type*" (column 26, line 67 to column 27, line 1).
50. **In regard to dependent claim 15**, the claim contains substantially the same subject matter as claim 5, and is rejected with the same rational.
51. **In regard to dependent claim 16**, the claim recites "*A method according to claim 15, wherein said ranking is applied by adding at least one limitation to said at least one generated search query.*" Ryan anticipates the query. Ryan recites "*results are in the form of a list, ranked according to criteria specific to the search engine. These criteria may range from the number of occurrences of the key-words*

anywhere within the searched text, to methods giving a weighting to key-words used in particular positions" (column 1, lines 59-63)

52. **In regard to dependent claim 17**, the claim contains substantially the same subject matter as claim 6, and is rejected with the same rational.

53. **In regard to dependent claim 18**, the claim contains substantially the same subject matter as claim 16, and is rejected with the same rational.

54. **In regard to dependent claim 19**, the claim recites "*A method according to claim 18, wherein said morphological property comprises the existence of a link list.*" Ryan anticipates the claim. Ryan recites "*New web-page list: This is a list of new web-pages that is created by URL submissions*" (column 6, lines 61-62).

55. **In regard to dependent claim 20**, the claim recites "*A method acquiring to claim 11, wherein said ranking indicates a probability of a ranked page being a hub.*" Applicant defines a hub in the disclosure as "*hub-potential may be determined based on a usage of a hub-typical words or phrases, such as "list of links", "links", "index", "compilation" and/or "resources"*" (page 2, lines 23-35). Ryan anticipates the claim. Ryan discloses ranking (see above). Ryan further recites "*Users' choice hit-list: This a semi-permanent ranking of web-pages*" (column 6, lines 57-58).

56. **In regard to dependent claim 21**, the claim recites "*A method according to claim 11, wherein said ranking comprises ranking responsive to the presence of at least one key word in pages of said at least one result list.*" Ryan anticipates the

claim. Ryan recites "*Hit-list: The list of web-pages URL addresses) that is the result of the key-word search. This hit-list ranks the relevance of the web-pages relative to the key-word*" (column 6, lines 13-15).

57. **In regard to dependent claim 22**, the claim recites "*A method according to claim 21, wherein said key word is related to a content of said list of URLs.*" Ryan anticipates the claim. Ryan recites "*This hit-list ranks the relevance of the web-pages relative to the key-word. This bit-list always has a key-word associated with it*" (column 6, lines 14-15).

58. **In regard to dependent claim 23**, the claim recites "*A method according to claim 21, wherein said key word is a word that serves as a statistical indicator that the page is a hub.*" Ryan anticipates the claim. Ryan recites "*Users' choice hit-list: This a semi-permanent ranking of web-pages associated with every key-word*" (column 6, lines 47-48).

59. Claim 43 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ryan in view of Borman et al., US Patent 5,890,172 (filed 10/8/1996, patented 3/30/1999). "Borman et al." is hereafter referred to as "Borman".

60. **In regard to dependent claim 43**, the claim recites "*A method according to claim 39, wherein said list is arranged by WWW pages.*" Ryan discloses a list of links (see above). Ryan fails to disclose an arrangement of the list. Borman teaches the arrangement of the list of links, see Figure 5A. Therefore, it would have been obvious, to one of ordinary skill in the art, at the time the invention was made to

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arrange the list of links *"In order to speed the process of finding relevant information on the internet"* (Borman, column 1, lines 61-62).

Allowable Subject Matter

61. Claims 8, 9, 24 and 45-47 are objected to as being dependent upon rejected base claims, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

62. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:


- | | | |
|-----------------|---------------------|-----------------|
| • Peercy et al. | US Patent 5,960,429 | Filed 10/9/1997 |
| • Yeomans | US Patent 6,182,065 | Filed 4/22/1998 |
| • Newman et al. | US Patent 6,189,018 | Filed 8/3/1999 |
| • Himmel et al. | US Patent 6,211,874 | Filed 5/15/1998 |
| • Borman et al. | US Patent 6,226,655 | Filed 12/2/1998 |
| • | | |

63. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Vaughn whose telephone number is (703) 305-4672. The examiner can normally be reached Monday to Friday from 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R. Herndon can be reached at (703) 308-5186. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Gregory J. Vaughn
October 8, 2003



SANJIV SHAH
PRIMARY EXAMINER